

OFFICIAL MINUTES
COMMISSION MEETING OF THE CITY OF BRUNSWICK, GA
REGULAR MEETING
8:30 A.M. , NOVEMBER 6, 1996

PRESENT: His Honor Mayor Homer L. Wilson, Commissioners Roosevelt Lawrence, Dr. James MacLeod, Ken Plyman and Harold E. Jennings.

INVOCATION: The invocation was given by Commissioner Dr. James MacLeod.

APPROVAL OF MINUTES

Commissioner Plyman moved and Commissioner Jennings seconded the motion to approve the minutes of the meeting of October 16, 1996. The motion passed unanimously.

PROPERTY EXCHANGE

The City Attorney discussed the 1993 law passed by the General Assembly through the Georgia Municipal Association, which allows the City of Brunswick to exchange property. The exchange must be legally advertised and the Commission may correct any problems that occurred a number of years ago in the Supreme Court case.

Commissioner Lawrence questioned whether the property the City wanted to exchange was of equal value. The City Manager stated that the property the City is receiving is a higher value.

Commissioner Plyman moved and Commissioner Jennings seconded the motion granting the property exchange between Atlantic Southeast Enterprises, Incorporated and the City of Brunswick. The motion passed unanimously. Bob Torras thanked the Commission.

STRUCTURAL FITNESS COMMITTEE REPORT

The City Building Official, Joe Navarro appeared before the Commission to give an update on the structures that have been torn down since April of 1994. Mr. Navarro stated that two buildings the Ice House and the Old Motel on Glynn Avenue and the Causeway have been in Municipal Court. Commissioner Jennings requested a timetable given by the Judge on the Boone property.

Commissioner Lawrence reported that City residents informed him that they were ordered to have blue prints drawn up by an architect before they could build an addition to their home.

Mr. Navarro explained that an addition over 5,000 square feet must have blue prints drawn up and stamped by an architect.

Mayor Wilson stated that he feels that the City should receive reimbursements for structures taken down with City equipment and these payments should be received in a timely manner.

Commissioner MacLeod stated that he was proud of the growth in Brunswick, pointing out that Brunswick is on the upswing.

EGRESS AND INGRESS TO PROPERTY ON DOLPHIN STREET

The City Manager reported that agenda Item No. 4 should be removed from the agenda until a later date. Stephen Scarlett, Attorney, representing Dr. Burgess Walker in obtaining egress and ingress to property from Dolphin Street.

Many residents from Demere Hamock Subdivision appeared before the Commission to present a petition objecting to any egress and ingress on Trout Street and Dolphin Street. The residents expressed concerns about a building having access on Dolphin and Trout Streets, and stressed that they would like the Commission to stand by the decision they made in 1989. The residents brought up questions concerning favorable access on Fourth Street for the business. The residents stated they did not object to the business having access in and out on Fourth Street.

Grace Butler resident of the City stated that the neighborhood was quiet and comfortable. Mrs. Butler stated there is no way to get to the building unless you enter on Trout Street. Mrs. Butler suggested that an ordinance be drawn up to prevent egress and ingress on Trout and Dolphin Street.

Commissioner Plyman stated that he thought the matter was finally resolved giving access to Trout Street. He recommended checking the permit that was issued by the Building Official.

A homeowner stated that all the resident's want is a safe neighborhood and pointed out that there is barely enough room for two cars to travel on Trout Street. He mentioned that the residents hired an Attorney and found out he had a conflict of interest. He suggested that the City adopt an ordinance requiring that all the Walker property have access to Fourth Street only.

Commissioner Jennings questioned whether City can adopt a Resolution. Commissioner Jennings warned the Commission if the City pass an ordinance against one person there are 16,000 other residents in the City and everyone may ask for their own ordinance.

Commissioner MacLeod recommended that the City Engineer look at the traffic situation and recommend a suggestion.

Mayor Wilson went on record to state that he finds it hard to condone having access if it creates a problem. He pointed out that there was no indication that the owner of the building would cause problems in the neighborhood.

Commissioner Plyman mentioned that the Commission should look back and honor decisions made by their predecessors. He stated that he will check to see if a building permit was granted and whether the plans for the building

would have access to ingress and egress on Trout.

Commissioner MacLeod suggested that the Commission take the matter under advisement and have the City Manager and City Attorney to see if an ordinance could be drawn up. The City Manager stated that the Commission could not adopt the ordinance today if it was drawn up.

Commissioner Lawrence stated that he would like to see this put to bed to rest forever. He stated that he will support ingress and egress off of Fourth Street. Commissioner Lawrence suggested that all parties be present before a decision is made concerning the ingress and egress.

A home owner stated that construction trucks are routed on residential streets and not on Fourth Street. He stressed that decisions were made by the City Council and asked if they were chiseled in stone or written in invisible ink.

Commissioner Plyman referred to the decisions as being in granite. He stated that every Commissioner wants to keep the neighborhood in paramount condition and expressed that the City will consider creating an ordinance to protect the neighborhood.

Mayor Wilson stated that he was ready to resolve the problem and would like to have everyone present. He recommended that the City Manager and City Attorney research the problem and draw up an ordinance.

Commissioner Jennings suggested writing a general ordinance protecting the integrity of all neighborhoods in the City especially when it comes to having ingress and egress on roads.

The City Attorney reported that an ordinance was being drawn up for the Building Inspector. The City Attorney stated that there was nothing in the minutes or ordinance that specifically eliminates access to Fourth Street. He pointed out that the Commission received a recommendation from the Planning Commission on the rezoning and there was no specific reference made in the rezoning action of the City Commission.

The City Manager informed the Commission that an ordinance was not drawn up in 1989 after a vote was taken by the Commission to deny ingress and egress on Trout Street.

Mayor Wilson gave the Commission an update about the purchase of the property by Dr. Walker from the City of Brunswick. Mayor Wilson requested that the files be checked to substantiate the purchase of the property by Dr. Walker from the City of Brunswick.

Mayor Wilson thanked everyone for attending the meeting.

The residents voiced their concerns about the offices being opened to the public upon completion of the building.

The City Attorney stated that the Building Inspector should look into ingress and egress of the property. The City Attorney stated that after reviewing the minutes the owners was under the impression that they have

ingress and egress on Trout Street. He pointed out that this could become a serious legal problem with the building partially constructed. If the Building Inspector has approved ingress and egress then the Commission should check the construction plans.

The City Manager stated that the Building Inspector approved the plans according to the ordinance that is currently in the Code Book.

Zack Lyde stated that no one should have circumvented the decision of the Commission after this was presented by the Planning Board.

It met the consensus of the Commission for the City Manager and City Attorney to get together to unravel and resolve the problem.

Commissioner Jennings requested that Attorney Scarlett be notified about the feelings of the Commission.

BOONE BUILDING

Zack Lyde appeared before the Commission to report that the Boone Building would be taken down at the very earliest hour. Mr. Lyde stated that his organization wanted to be assured that materials from the building could be saved and used for restoration. Superior Court Judge Blenn Taylor wanted to offer a 30-day stay, but the organization felt it was unnecessary. The City Attorney drafted the order handed down by Judge Taylor. Mr. Lyde stated that he wanted to use a procedure that will be safe and protect the property in accordance with the City Code.

Commissioner MacLeod asked if the City could do anything to help Mr. Lyde.

Mr. Lyde stated that he would like the City to develop disaster training and in case of a disaster the City could have use of the trained people. Mr. Lyde requested that the streets be closed for demolition of the Boone Building.

Mr. Lyde requested to sit down with the organization and the City Engineer to help formulate a plan to demolish the building. Mr. Lyde pointed out that the work should not go beyond a 90-day time frame.

The City Manager told Mr. Lyde that the City would offer any expertise. Mr. Lyde questioned how to do the job safely and dispose materials. The City Manager stated that he will get back to the Commission to find out what could be worked out. Mr. Lyde stressed that he wanted a positive relationship to find a common ground and decency.

Mayor Wilson pointed out that the organization should have another staging area to clean bricks. Mayor Wilson asked if this will circumvent the Judge's order.

The City Attorney stated that Judge Ligon would have to approve removal of the Boone Building.

Mr. Lyde stated that they are searching for a place to be used as a staging

area to clean up Gloucester Street. Mr. Lyde asked the Commission if the City had a place for the use of a staging area. Mr. Lyde stated that he was willing to set down and work with anyone who had expertise.

It met the consensus of the Commission to permit Mr. Lyde to get the Boone Building down as soon as possible.

1996 MILLAGE RATE

Commissioner Plyman moved and Commissioner Jennings seconded the motion adopting the following resolution:

AD VALOREM TAX RESOLUTION

It is hereby resolved by the Commission of the City of Brunswick that an ad valorem tax of twenty-nine dollars and nineteen cents (\$29.19) per one thousand dollars (\$1,000) of assessed valuation is hereby levied and assessed for the calendar year 1996 upon all tangible property that is subject to taxation within the City. Pursuant to Official Code of Georgia Annotated Section 48-8-91, it is further resolved that said millage rate of 29.19 mils shall be reduced by eighteen and nineteen one-hundredths (18.19) mils, that being the millage rate which, if levied against the tangible property within the City of Brunswick, would produce an amount equal to the distribution of local option sales tax received by the City of Brunswick during 1995, leaving a net millage rate of eleven and zero one-hundredths (11.00) mils, which shall be the millage rate upon which each taxpayer's bill shall be based. It is further resolved that payment of 1996 ad valorem taxes shall be due no later than January 31, 1997, and that this resolution shall be effective as of the entry of an order by the Superior Court giving the City authority to proceed with immediate and temporary collection of ad valorem taxes for the 1996 tax year.

The City Attorney reported that a court hearing will determine if the City can bill tax payers for 1996 taxes.

Main Street Director, Kay Shiver appeared before the Commission to discuss

the Downtown Brunswick Parking Study. Mrs. Shiver stated that a questionnaire will be distributed to employees who work downtown.

Andy Grzymiski submitted the Downtown Brunswick Parking Plan to the Commission. Mr. Grzymiski stated that the Brunswick Area Transportation Study shows that there are 2,824 parking spaces in the downtown area and these spaces are used by the downtown businesses. Members of the Downtown Development Authority Parking Committee discussed how to better utilize the parking spaces.

Commissioner Plyman questioned whether the committee thought about removing the median on Newcastle Street.

Commissioner MacLeod pointed out that employees use parking spaces for two hours and move their cars to another parking space to avoid getting a parking ticket.

Mayor Wilson mentioned a number of years ago Downtown Merchants felt a need for additional parking spaces for employees. The City supplied parking spaces on Bay Street and employees never used the spaces. Lighting had to be improved if employees were expected to walk to the parking area after work.

Commissioner MacLeod stressed the need for Police Officers to walk the beat in the downtown area. Commissioner MacLeod stated that merchants have not gotten cooperation from the Police Department in patrolling or walking the beat in the Downtown area and Lanier Plaza. He stated once again it should be made clear to the Police Department that the Commission wants an officer walking the beat.

Commissioner Jennings questioned whether Mr. Torras and private investors were contacted about supplying parking spaces.

Mr. Grzymiski stated that it will be very difficult for investors to supply the use of parking spaces in the downtown area.

The City Manager stated that he will be happy to place an officer in the Downtown area to help merchants.

Sergeant Bruce was present and informed the Commission that a Police Officer is working downtown and the officer takes care of errands for City Hall. He pointed out that the officer spends most of the time at City Hall.

Commissioner MacLeod recommended coordinating the officer's time at City Hall. He pointed out that it should not take the officer seven hours to handle errands at City Hall. Sergeant Bruce discussed the duties of the downtown officer, which includes writing traffic tickets, marking tires, handling errands at City Hall and checking businesses in the downtown area.

Commissioner MacLeod stated that the City wants someone the citizens could see in the downtown area. Commissioner Jennings recommended that the Chief of Police perform a personnel study to find an additional officer to place in the downtown area.

Commissioner Jennings suggested having input from citizens about parking in the downtown area. Kay Shiver pointed out that the study is only for employees who work in the downtown area. Mr. Grzymiski stated that the committee just started the survey and members will meet with merchants to discuss their concerns.

Mayor Wilson expressed the Commission's appreciation and thanked Mrs. Shiver and Mr. Grzymiski for their presentation.

ALCOHOLIC BEVERAGE LICENSE RENEWALS

The following alcoholic beverage petitions for 1997 license renewals were submitted, having been approved by the Chief of Police and the City Manager, were on motion of Commissioner Lawrence seconded by Commissioner Plyman was unanimously granted:

To retail alcoholic beverage including beers and wine for consumption on premises:

Scott B. Jackmore, Red Carpet Lounge, 300 F Street;

Jacob Manley, Mr. Jay's Lounge, 1411 L Street;

Eddie L. West, Sr. Club 87 Package Store, 1604 Fourth Street;

Richard Godley, BPO Elks #691, 1509 Union Street;

Jack W. Wilder, The Lounge, 2027 Stacy Street;

Robert P. Redden, Pablo's Mexican Restaurant, 3384 Cypress Mill Road;

Rydell Thomas, Ray's Lounge/Two Spot Package, 1807 L Street;

To retail alcoholic beverages including beers and wine for consumption off premises:

Peter J. Nermoe, Bottle Time Liquors, 1900 1st Street;

James L. Gibson, Jr., Gibson's Beverage Center, 3304 Glynn Ave;

H.E. Bluestein, Grog Shoppe, 1701 Norwich Street;

Lorraine M. Lawrence, Dixville Package Store; 1509 1/2 London Street;

To retail beer and wine for consumption off premises:

Jerry L. Adams, Conoco#10051, 3879 Altama Avenue;

Peter J. Nermoe, Beer and Wine Depot, 1900 1st Street;

Jeff Davis, JP's Spirits & Wines, 3304 1/2 Glynn Avenue;

To retail beer and wine for consumption on premises:

Janet F. Weston, Jinright's Seafood House, Inc., 2815 Glynn Avenue;

Maria L. Tresvant, Chiko's Lounge, 1912 Norwich Street;

Charles E. Maxwell, Oglethorpe on the Park, 1312 Newcastle Street;

Murray K. Wilson Oyster Box, 2129 Glynn Avenue;

To retail beer only for consumption on premises:

Henry Fernandes, Brunswick Yacht Club, 1200 Glynn Avenue;

To retail beer for consumption off premises:

Mike D. Mulkey, Revco Discount Drug Center #1246, 1709 Gloucester Street;

Robert J. Herrin, Jack's BP Food Mart, 2816 Cypress Mill Road.

OLD CITY HALL RESTORATION COMMITTEE

The City Manager submitted the names of persons who was interested in serving on the Old City Hall Restoration Committee. The City Manager stated that the City advertised for six openings to add members to the Old City Hall Restoration Committee.

It met the consensus of the Commission to advertise for all members of the Old Restoration Committee and to set an expiration date.

STRUCTURAL FITNESS BOARD

Commissioner Plyman nominated Don Thompson to serve on the Structural Fitness Board. Commissioner Lawrence nominated Mary Morris. There being no further nominations, the nominations were closed. Don Thompson received two votes from Commissioner Plyman and Commissioner Jennings. Mary Morris received three votes from Mayor Wilson, Commissioners MacLeod and Lawrence.

Commissioner MacLeod moved and Commissioner Plyman seconded the motion appointing Mary Morris to the Structural Fitness Board. The motion passed unanimously.

CEMETERY DEEDS

Commissioner Lawrence moved and Commissioner Jennings seconded the motion to defer the Cemetery Deeds until the next meeting.

OTHER CITY BUSINESS

The City Manager reported that Dixville Coalition appeared at a previous Commission meeting to request the use of the City's right of way.

John Demery representing Dixville Coalition requested to construct school bus shelters on the City's right of way on Prince and Johnston Streets,

Prince and Lee Streets and Prince and Martin Luther King Jr. Blvd.

Commissioner Plyman moved and Commissioner Lawrence seconded the motion approving the construction of school bus shelters on the City's right of way. The motion passed unanimously.

Commissioner MacLeod stated that the Adopt-A-Park-Bulletins have been published. He stated that companies are encouraged to adopt-a-park. The bulletins can be picked up in the City Manager's office.

Commissioner Jennings questioned whether kids can play in the park that are adopted by citizens.

Commissioner MacLeod pointed out that the parks have to be declared as an active park or passive park. Children are allowed to play in active parks.

Commissioner Plyman questioned whether citizens could place objects like planters in the parks. The City Manager stated that the Parks and Tree Board has to approve any objects placed in parks.

Commissioner Plyman moved and Commissioner Jennings seconded the motion authorizing the City to purchase a lawn mower for Greenwood Cemetery for \$12,500.00. The motion passed unanimously. Commissioner Plyman stated that the City could use the present mower as a spare mower.

Commissioner Lawrence questioned why the City did not advertise to receive bids on the lawn mower after the last Commission meeting. The City Manager stated that it took time to put together specifications.

Commissioner Plyman questioned why employees could not be hired back to work for the City. The City Manager stated that it is a policy that was put in place to stop employees from being rehired if they left employment with the City. He stated that employees are rehired only one time.

Commissioner Plyman moved to change the policy.

Commissioner MacLeod stated that he did not have a chance to study the issue. He pointed out that the Commission did not hear from the Personnel Director. Commissioner MacLeod recommended to table the matter until the City receive more information.

MEETING ADJOURNED.

Mayor

City Clerk